

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79743 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Jarina Khatoon @ Jahina Khatoon Son of Late Mustkim Miya R/O Vill.-
Vishnupur, Ward no. 3, P.S.- Naokothi, Dist.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salma Khatoon, Wife of Md. Mustak R/O Vill.- Vishnupur, Ward no. 3, P.S.-
Naokothi, Dist.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-01-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 498A, 307, 504 and 506/ 34 of the Indian
Penal Code and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioner submits that
the petitioner being mother in-law has been falsely implicated in
the instant case by the informant with exaggerated allegation. It
is next submitted that informant was married to the son of the
petitioner namely Md. Mushtak and alleges that on 20.09.2023,
her husband along with the petitioner and other accused persons



assaulted her causing fracture of the jaw. Further, the said occurrence was committed on account of non-fulfilment of the demand of dowry as detailed in the FIR.

4. The learned counsel for the petitioner submits that the date of occurrence is 20.09.2023 and the FIR was instituted on 01.10.2023 and from perusal of the fard-bayan, it would manifest that the same was not recorded at the hospital, but the FIR came to be instituted based on a written complaint of the informant. It is next submitted that had the informant been assaulted in the manner as alleged in the FIR, in that event, he would have been admitted in a hospital. It is next submitted that whenever any dispute arises in between husband and the wife, the entire family members are implicated in a mechanical manner based on general, omnibus and vague allegation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of Miss Kanchan Rani, the learned Judicial Magistrate, 1st Class, Begusarai in connection with Naokothi P. S. Case No.132 of 2023, G.R. No.3690 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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